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28 April 1960

Agreed Guidance for the Implementation of the Presidential Directive
on Disclosures of Classified Intelligence

For the purpose of providing uniformity in the implementation of the Presidential Directive and in the preparation of reports thereon, the following guidance is agreed upon by the U. S. Intelligence Board. To the extent applicable, this agreed guidance should be incorporated in any regulations or instructions issued in the implementation of the Presidential Directive.

1. The Presidential Directive ~~directs~~ requires the Heads of departments and agencies concerned to take certain actions to ensure a greater degree of protection to all classified intelligence and intelligence sources and methods. In addition to those actions that are taken to implement the directive, particular attention should be directed to the fact that the unauthorized disclosures of classified intelligence in the past several years which have been most damaging to the intelligence effort have involved vital intelligence sources having direct bearing on the national security. The intelligence information involved in the more serious unauthorized disclosures has been disseminated in channels protected by authorized code words or project designators and limited to those officials upon established need-to-know basis. It is in this area of intelligence reporting and dissemination that greater emphasis is needed in providing adequate controls and protection of such information from unauthorized disclosures. In establishing and administering such controls, it is agreed as a matter of policy that only under the most exceptional circumstances should such classified intelligence involving sensitive sources and methods be considered for use outside the authorized channels or released to the public. For purposes of uniformity in applying proper controls over the use and dissemination of this category of classified intelligence, such intelligence is defined as that classified intelligence which contains information, or which tends to reveal sources or methods, requiring special controls upon

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its dissemination because its disclosure could lead to counteraction (1) jeopardizing the continued productivity of intelligence sources or methods which provide intelligence vital to the national security or (2) offsetting the value of intelligence vital to the national security. Classified intelligence within the meaning of the foregoing should be identified by (1) ~~recognized~~ code words authorized for such use (2) project designators, (3) the marking "WARNING NOTICE - SENSITIVE INTELLIGENCE CONTAINED HEREIN," ~~SOURCES AND METHODS INVOLVED,~~ or (4) any combination thereof.

2. Departmental and agency regulations ~~governing the disclosure and release of classified information should be amended to include intelligence as a special category of classified information for which certain control and review procedures are required.~~ should include control and review procedures to be followed prior to the disclosure or public release of intelligence. The regulations and control procedures should establish the responsibility of the Intelligence Chief for the assessment of the risks to the national security and to the intelligence sources and methods involved when dissemination of classified intelligence is contemplated outside of authorized channels, including releases to the public. Such control and review procedures should include:

a. Disclosure and Release Control:

(1) A review by intelligence authorities of any classified intelligence proposed for declassification or for use or disclosure in background briefings, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, and other aspects of public relation activities whereby intelligence sources and methods may be revealed. A record should be maintained of any classified intelligence declassified or authorized for disclosure and should contain the name of the individual who authorized such action.

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(2) Classified intelligence inadvertently discussed with or disclosed to any person or persons not authorized for access to such intelligence should be made a matter of record by the responsible official and reported to the appropriate Intelligence Chief.

(3) Any disclosure of classified intelligence not made in accordance with the provisions of the regulations and controls of the department or agency concerned should be promptly reported to the Intelligence Chief for appropriate action which may include (a) such steps as are feasible to repair or limit the extent of the damage (b) a request for investigation by appropriate authorities (c) an assessment of the possible harm to intelligence sources and methods and notification to intelligence authorities concerned and (d) prompt notification to all official recipients that an unauthorized disclosure has occurred together with advice of remedial action to be taken and guidance for responses to inquiries from public media representatives that may result from the compromise.

(4) Existing procedures for the control and release of classified intelligence should be reviewed and revised in light of the foregoing and should be supplemented by appropriate enforcement provisions. In particular, such procedures should include provisions whereby recipients of special categories of intelligence including code words and special projects may determine whether or not individuals with whom they are in contact are authorized to receive such intelligence.

b. Disclosure and Release Techniques:

(1) Each Intelligence Chief should establish procedures for the assessment of risks to the national security and to the

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intelligence sources and methods involved in any proposed dissemination of classified intelligence outside of authorized channels.

(2) Release procedures should include in the assessment of the risks those ways and means by which an attempt may be made to sanitize intelligence sources and methods. However, before classified intelligence can be sanitized effectively and sensitive sources protected, a plausible source or sources should be available to which attribution may be made if necessary. When this condition exists, then such devices as obscuring or qualifying source attribution by approximating figures, omitting place names and geographical locations, approximating the time and circumstances and altering other factors which may be revealing of the source and method involved should also be used.

(3) Classified intelligence disclosed in official briefings and budgetary reports should be separated and clearly identified from other information of a non-intelligence nature utilized in such briefings. Similar measures should be employed in disclosing classified intelligence to those Government officials who deal with public media and who cannot readily be expected to know the origin of all information with which they are dealing.

(4) The proposed release of classified intelligence derived from a joint or combined project of the intelligence community should consider the interests of other intelligence community members participating in the intelligence project.

3. Each department and agency should develop a continuing educational program for all recipients of classified intelligence concerning the damage

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that can accrue to intelligence sources and methods through the improper disclosure of such intelligence. Such a program may include where appropriate (1) specific instances of known unauthorized disclosures of classified intelligence involving sensitive sources and methods (2) an assessment of the possible harm resulting from such disclosures and (3) examples of the countermeasures that might be taken by foreign intelligence services to negate the information or the sources and methods involved.

4. Current practices for the dissemination of classified intelligence should be reviewed and revised where necessary in order to ensure protection to intelligence sources and methods. In particular, such review should include but not be limited to:

a. Reviewing on a continuing basis the dissemination of classified intelligence with a view to ensuring that such dissemination is confined to authorized recipients on a strict need-to-know basis.

b. Restricting the dissemination of details of classified intelligence. Normally, those details of intelligence which clearly reveal vital or highly sensitive technical sources and methods should be limited to the intelligence specialists responsible for technical evaluations. Whenever possible, without adversely affecting the intelligence effort, such intelligence should be sanitized before the substance is disseminated to other recipients.

c. Marking of intelligence. When disseminated in bulletins, briefs, and similar documents, classified intelligence involving sensitive intelligence sources and methods should be marked to distinguish it clearly from other information normally printed in such documents.

~~5. - After the implementation of the Presidential Directive has been initially effected and some experience has been gained,~~ a Consideration shall be given to the need for any additional legislation to provide further protection to the national security and to intelligence sources and methods.

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Official Secrets Act, 1911.

[1 & 2 GEO. 5. CH. 28.]

ARRANGEMENT OF SECTIONS.

A.D. 1911.

Section.

1. Penalties for spying.
 2. Wrongful communication, &c. of information.
 3. Definition of prohibited place.
 4. Attempts to commit offence, or incitement to commit offence, under Act.
 5. Person charged with felony under Act may be convicted of misdemeanour under Act.
 6. Power to arrest.
 7. Penalty for harbouring spies.
 8. Restriction on prosecution.
 9. Search warrants.
 10. Extent of Act and place of trial of offence.
 11. Saving for laws of British possessions.
 12. Interpretation.
 13. Short title and repeal.
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Next 19 Page(s) In Document Exempt

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Remarks:

Attached is final version of the
Implementing Paper as approved by the
Security Committee on 28 April subject
to staffing by the Members within their
departments and agencies.

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